



Villanova University  
Charles Widger School of Law

43<sup>RD</sup> ANNUAL  
DONALD A. GIANNELLA  
MEMORIAL LECTURE

**Intisar A. Rabb**

Henry L. Shattuck Professor of Law  
Director, Program in Islamic Law  
Professor of History  
Harvard University

Thursday, October 22, 2020

Villanova University Charles Widger School of Law  
Virtual Event

## DONALD A. GIANNELLA MEMORIAL LECTURE

Through the generosity of Professor Giannella's family, colleagues, Villanova Law alumni and other friends, an endowed fund was established to honor the distinguished scholar and beloved teacher who died in 1974. The lectureship brings a leading scholar to Villanova each year. The paper presented at the lecture is published in the *Villanova Law Review*.

### Donald A. Giannella

Professor Donald A. Giannella was born in Paterson, New Jersey in 1930. After graduating from Fordham Preparatory School in 1947, he attended Harvard College, where he majored in Economics and received his BA magna cum laude in 1951. As an undergrad, he was also elected to the Harvard Chapter of Phi Beta Kappa. Giannella went on to attend Harvard Law School, where he served on the Board of Student Advisors and graduated magna cum laude in 1955. From 1955 to 1958, he worked for the New York law firm Cahill, Gordon, Reindel & Ohl, and from 1958 to 1960, he was a teaching fellow at Harvard Law School.

Giannella joined Villanova University Charles Widger School of Law as an assistant professor in 1960, and served as an associate professor from 1961 to 1963. He was promoted to full professorship in 1963 and later became the executive director of the Institute of Church and State. He also served as a consultant to the Administrative Conference of the United States.

After fourteen years of distinguished service at Villanova, Giannella died in February 1974.

## **Intisar A. Rabb**

“Interpreting Islamic Law”

Henry L. Shattuck Professor of Law

Director, Program in Islamic Law

Professor of History

Harvard University



Intisar A. Rabb is a Professor of Law, a Professor of History, and the faculty director of the Program in Islamic Law at Harvard Law School. She has held appointments as a Susan S. and Kenneth L. Wallach Professor at the Radcliffe Institute for Advanced Study, as an Associate Professor at NYU Department of Middle Eastern and Islamic Studies and at NYU Law School, and as an Assistant Professor at Boston College Law School. She previously served as a law clerk for Judge Thomas L. Ambro of the United States Court of Appeals for the Third Circuit, as a Temple Bar Fellow in London with the American Inns of Court, and as a Carnegie Scholar for her work on contemporary Islamic law.

In 2015, in partnership with the Berkman Klein Center for Internet and Society, support from the Luce and MacArthur Foundations, and collaborations with myriad scholars and institutions, she launched SHARIAsource – an online portal designed to provide universal access to the world’s information on Islamic law and history, and to facilitate new research with the use of AI tools. She has published on Islamic law in historical and modern contexts, including the monograph, *Doubt in Islamic Law* (Cambridge University Press 2015), the edited volumes, *Justice and Leadership in Early Islamic Courts* (with Abigail Balbale, Harvard University Press, 2017) and *Law and Tradition in Classical Islamic Thought* (with Michael Cook et al., Palgrave 2013), and numerous articles on Islamic constitutionalism, on Islamic legal canons, and on the early history of the Qur’an text. She received a BA from Georgetown University, a JD from Yale Law School, and an MA and PhD from Princeton University. She has conducted research in Egypt, Iran, Syria, and elsewhere.

Annual Donald A. Giannella Memorial Lectures  
(1977-2019)

1977—Harry W. Jones  
“Lawyers and Justice: The Uneasy Ethics of Partisanship”  
23 Vill. L. Rev. 957 (1978)

1978—Philip B. Kurland  
“The Irrelevance of the Constitution”  
24 Vill L. Rev. 3 (1978-1979)

1979—T. Brian Hogan  
“Crime, Punishment and Responsibility”  
24 Vill. L. Rev. 690 (1978-1979)

1980—Monrad Paulsen  
Dean, Benjamin N. Cardozo School of Law  
(Lecture unpublished)

1981—Roger C. Crampton  
“Crisis in Legal Services for the Poor”  
26 Vill. L. Rev. 521 (1980-1981)

1982—John C. Smith  
“Subjective or Objective? Ups and Downs of the Test  
of Criminal Liability in England”  
27 Vill. L. Rev. 1179 (1981-1982)

1983—Donald W. Dowd  
“The Pit & the Pendulum: Correctional Law Reform  
from The Sixties into the Eighties”  
29 Vill. L. Rev. 1 (1983-1984)

1984—Norval Morris  
“The Danger in ‘Dangerousness’ in Civil Commitment”  
(Lecture Unpublished)

1985—Rex E. Lee  
“The Role of the Religious Law School”  
30 Vill. L. Rev. 1175 (1985)

1986—Elizabeth Holtzman  
“Women and the Law”  
31 Vill. L. Rev. 1429 (1986)

1987—Wayne R. Lafave  
“The Fourth Amendment Today: A Bicentennial Appraisal”  
32 Vill. L. Rev. 1061 (1987)

1988—Derrick A. Bell, Jr.  
“White Superiority in America: Its Legal Legacy,  
Its Economic Costs”  
33 Vill. L. Rev. 767 (1988)

1989—Lynn Hecht Schafran  
“Lawyers’ Lives, Clients’ Lives: Can Women Liberate  
the Profession?”  
34 Vill. L. Rev. 1105 (1989)

1990—Winston P. Nagan  
“South Africa in Transition: Human Rights, Ethnicity  
and the Law in the 1990s”  
35 Vill. L. Rev. 1139 (1990)

1991—Ernest F. Roberts  
“Bats, and Owls and the Insane Moon: The Search  
for The Republic’s Unwritten Constitution”  
36 Vill. L. Rev. 1559 (1991)

1992—The Honorable Cruz Reynoso  
“Ethnic Diversity: Its Historical and Constitutional Roots”  
37 Vill. L. Rev. 821 (1992)

1993—John Frohnmayer  
“Should the United States Have a Cultural Policy?”  
38 Vill. L. Rev. 195 (1993)

1994—James L. McHugh  
“Zen and the Art of Lawyering”  
39 Vill. L. Rev. 1295 (1994)

1995—The Honorable Marjorie O. Rendell ‘73  
“What is the Role of the Judge in Our Litigious Society?”  
40 Vill. L. Rev. 1115 (1995)

1996—Gerald Abraham  
“The Cry of the Children”  
41 Vill. L. Rev. 1345 (1996)

- 1997—Stephen M. Bainbridge  
“Corporate Decision-Making and the Moral Rights  
of Corporate Employees: Participatory Management  
and Natural Law”  
43 Vill. L. Rev. 741 (1998)
- 1998—Douglas Laycock  
“Religious Liberty and the Realignment of Religious  
Conflict” (Lecture Unpublished)
- 1999—Michael J. Perry  
“What is ‘Morality’ Anyway?”  
45 Vill. L. Rev. 69 (2000)
- 2001—Ira C. Lupu & Robert W. Tuttle  
“The Distinctive Place of Religious Entities  
in Our Constitutional Order”  
47 Vill. L. Rev. 37 (2001)
- 2002—Kent Greenawalt  
“Natural Law and Public Reason”  
47 Vill. L. Rev. 541 (2002)
- 2003—John Witte, Jr.  
“Between Sanctity and Depravity: A Protestant  
Contribution to the Theory of Human Dignity”  
48 Vill. L. Rev. 727 (2003)
- 2004—Steven D. Smith  
“Nonestablishment ‘Under God’? The Nonsecretarian  
Principle”  
50 Vill. L. Rev. 1 (2005)
- 2005—M. Cathleen Kaveny  
“Prophecy and Casuistry: Abortion, Torture, and Moral  
Discourse”  
51 Vill. L. Rev. 3 (2006)
- 2006—Joseph Vining  
“The Mystery of the Individual in Modern Law”  
52 Vill. Rev. (2007)
- 2007—Richard W. Garnett  
“Do Churches Matter? Towards an Institutional  
Understanding of the Religion Clauses”  
53 Vill. L. Rev. 2 (2008)

2008—Leon Wieseltier  
“Before Law and After: Messianism and the Jews”  
(Lecture Unpublished)

2009—Nicholas P. Wolterstorff  
“Can Human Rights Survive Secularization?”  
54 Vill. L. Rev. 411 (2009)

2010—Patrick McKinley Brennan  
“Are Catholics Unreliable from a Democratic Point of View  
And What Does it Mean if They Are?”  
56 Vill. L. Rev. 199 (2011)

2011—Khaled Abou El Fadl  
“Conceptualizing Shariah in the Modern State”  
56 Vill. L. Rev. 803 (2012)

2012—Michael W. McConnell  
“Employment Division v. Smith in Hindsight:  
Ministers, Peyote and the Supreme Court”

2013—John Sexton  
“Global Education and Religion”

2014—Susan Stabile  
“What is Religious ‘Persecution’ In A Pluralist Society?”  
59 Vill. L. Rev. 753 (2014)

2015—Carl J. Schramm  
“Subsidiarity and Entrepreneurship”

2016—Noah Feldman  
“Why Madison Was Right: We Don’t Need the First  
Amendment—The Changing Political Economy of  
Exemptions”

2017—Paul Horwitz  
“Unorthodox—or Incompetent—Lawmaking and Religious  
Liberty”

2018—Anthony T. Kronman  
“Nicholas of Cusa: Prophet of Modernity”

2019—Nicole Stelle Garnett  
“The Case for Educational Pluralism”

